

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1, 5, 7, 14, 16 and 17 have been amended; claims 3, 4, 12, 13, 15 and 20 have been canceled. As a result, claims 1, 2, 5-11, 14 and 16-19 are in this application and are presented for the Examiner's consideration in view of the following comments.

With regard to the restriction requirement Applicants have elected Invention I (claims 1-11 and 14-19) without traverse. Those claims corresponding to Invention II, i.e., claims 12, 13 and 20, have been canceled.

Claims 14-18 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication 2003/0045299 published March 6, 2003 for New (*New*). Applicants have amended claim 14 to include the requirements of claim 15, which has been cancelled.

The Examiner states that *New* describes the requirements of claim 15. Respectfully, the Examiner is wrong. In particular, the Examiner refers to paragraphs 34 and 40 of *New*. Paragraph 34 of *New* states:

[a]t step 306, the processor searches for frame timing information by correlating the sequences of the Secondary Synchronization Codes (SSCs) during the demodulation of the received signals. The search for frame timing information is performed in accordance with the Second Step search described above for the Three-Step Frame Timing Acquisition Search. At step 308, the processor determines whether frame peaks have been found. If frame peaks are found, then the program flow proceeds to step 310. If frame peaks are not found, the program flow proceeds to step 330.

New, paragraph 34, emphasis added.

As underlined above, when *New* performs frame time, frame peaks are found. This is different from Applicants' claimed invention. Applicants' amended claim 14 requires that that the number of frames processed for acquiring frame synchronization is a function of a peak correlation value found during slot synchronization. Nowhere does *New* describe, or suggest, using a peak correlation value determined during slot

synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 14.

Turning now to paragraph 40 of *New*, the result is no different.

The number of verification searches performed by the embodiments depends upon the stage where a failure may occur. At step 330, wherein the processor determines whether more verification searches are needed, the processor can use predetermined quantity values that correspond to the stage at which the verification search is called. For example, if a failure occurs at step 304, i.e., no slot peaks are found, then at step 330, the processor can refer to a lookup table that stores a low value, e.g., 1 or 2, for the total number of verification searches to be performed. However, if a failure occurs at step 320, i.e., the mobile station cannot be synchronized to the timing of the broadcast channel, then at step 330, the processor can refer to a lookup table that stores a higher value, e.g. 2 or 3, for the total number of verification searches to be performed. The actual range of numbers in the lookup table does not affect the scope of the embodiments herein.

New, paragraph 40, emphasis added.

All this paragraph of *New* describes is that some "number" is stored in a memory for determining the number of verification searches to perform. Again, nowhere does *New* describe, or suggest, using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 14.

As a result of the above, Applicants respectfully submit that claim 14 is not anticipated by *New*. Consequently, dependent claims 16, 17 and 18 are also not anticipated by *New*.

Claims 1-11 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *New* in view of U.S. Patent Publication 2004/01610202003/0045299 published August 19, 2004 for Deepak et al. (*Deepak*). Applicants have amended claim 1 to include the requirements of claims 3 and 4, which have been canceled.

Like claim 15, and for the same reasons, *New* does not describe or suggest the requirements of claims 3 and 4, which have been incorporated into amended claim 1. Nor is this deficiency remedied by *Deepak*. Nowhere does *Deepak* describe, or

suggest, using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1. The Examiner refers to paragraphs 37, 38 and 39 of *Deepak*. Respectfully, the Examiner is wrong. Paragraph 37, of *Deepak*, merely describes determine the scrambling code group. There is no mention in paragraph 37, of *Deepak*, of using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1. Likewise, there is no mention in paragraph 39, of *Deepak*, of using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1. Paragraph 39, of *Deepak*, merely describes the overall process of slot synchronization, frame synchronization and determining the scrambling code group. Finally, paragraph 38, of *Deepak*, states:

Another algorithm for determining frame timing and scrambling code group is known as coherent detection. In coherent detection, the P-SCH is used for deriving a channel estimate and this channel estimate is used to correct the phase of the S-SCH for combining. Steps 2 and 3 of coherent detection are the same as the non-coherent detection algorithm, described above.

Deepak, paragraph 38, emphasis added.

As underlined above, the P-SCH is used to correct phase in *Deepak*. This does not describe or suggest using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1.

In view of the above, the combination of *New* and *Deepak* does not describe, or suggest, the requirements of Applicants' claim 1. Therefore, claims 2-11 are also patentable over *New* in view of *Deepak*.

With respect to claim 19, Applicants traverse for the reasons described above with respect to similar requirements found in Applicants' claim 14.

In view of the above, claims 1-11 and 19 are patentable over *New* in view of *Deepak*.

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Applicants have amended claims 5, 7, 16 and 17 to comport with the changes to their respective independent claims.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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